

SUGAR

Cane: 4.42 lb., \$88.40 per ton.

Beet: 15s. 0d. per cwt., \$104.20 per ton.

HAWAIIAN STAR.

Telephone 2365 Star Business Office.

The Largest Daily Paper in The Territory

SECOND EDITION.

WEATHER

Ther. min., 62.

Bar, 8 a. m., 30.17.

Wind, 12m., 10 N.E.

Rainfall 24th, 8 a. m., .00.

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SUGAR CONTROL THE WORLD OVER

BOWERS FREE BUT THE LAW NOT TESTED

The case of Capt. W. L. Bowers, on trial on the charge of having threatened to perforce an agent of the civic sanitation committee and of the board of health, if the latter entered his premises, came to a sudden and inglorious end this morning when Judge Robinson directed the jury to return a verdict of acquittal.

This order was granted on motion of Attorney E. C. Peters, who was defending Bowers. Peters based his motion on the ground that Special Prosecutor Lymer, representing the sanitation authorities, had failed to take two of the most elementary steps of a criminal prosecution. He had neglected to prove venue and he had failed to read the charge to the jury.

Commenting on the matter after the trial had ended, Judge Robinson stated that there was nothing left for him to do but to direct the jury to acquit. "The prosecution," he said, "failed to prove venue. Their chief witness testified that the alleged offense was committed on Punchbowl street, but they neglected to state whether Punchbowl street is in the city and county of Honolulu or in South America."

"And the attorney for the prosecution likewise neglected to read the charge to the jury. It is one of the elementary principles of law that the charge must be read to the jury. This is just as true in misdemeanor cases as in felony cases."

"So there was nothing left for me

to do. I had to grant the motion of the defense for a directed verdict."

"This termination," said Judge Lymer, "is very welcome to the prosecution, for the reason that the main and only witness did not testify on the stand in accordance with his reiterated statements to me and to my secretary before the trial, and there was practically no case at all made out. I am glad it did not go to the jury with a certainty of acquittal, as it would misrepresent the public sentiment here and give men of the Bowers stripe the impression that they can defy the board of health agents with impunity and never be convicted."

Had it been necessary for the defense to put witnesses on the stand, an attempt would have been made to prove that Captain Bowers did not gratuitously threaten to shoot the civic sanitary inspector, but that he told him that if the inspector perforce the gutters of the house, he would perforce the inspector. "A man," said E. C. Peters last week, "has a right to threaten to do an unlawful act if it is to prevent the other man from committing an unlawful act. The inspector said he was going to perforce Captain Bowers' gutters and Captain Bowers told him that, if he did, he would perforce the inspector."

The result of the case, apparently, has no bearing on the rights of inspectors. Captain Bowers being freed merely on account of negligence on the part of the prosecution. The principle in the case has not been passed upon.

WASHINGTON GRACIOUSLY FAVORS WIDOW AND FIVE CHILDREN

By official decree of the Washington immigration authorities Encarnacion Valdemarra, with her fatherless brood of five little Spaniards, may now land on American soil and undertake her own support. Inspector Halsey and other local officers have been at a loss to know what to do with this woman and her children. Her husband died here in quarantine and, although Encarnacion is a young woman and had no desire to go back to Spain, it seemed for a time as though the whole family was likely to become a public charge and would have to be deported with the diseased and unfit. The story of these unfortunates, as it appeared in the Star, brought offers of assistance.

For the mother and children from prominent business and professional men in Honolulu, but then the immigration people were not certain that they could accept these offers.

Headquarters in Washington was cabled last week and now Inspector Halsey has the consent of the higher authorities to release this family and another Spanish widow and child under bond, which will be furnished at once by the territorial immigration board. The final disposition of these eight people lies with Dr. Clark, but there is no doubt that places will be found for them at once and that they will shortly be settled and self-supporting.

JOHNSON STUCK GLACIER SAILORS

It has transpired that Chauffeur Johnson who figured in the smash-up on Saturday night has been trying to raffle off his Winton seven-seater among the men of the fleet.

Just what business he did in tickets is at present unknown but he is known to have sold a good many aboard the supply ship Glacier. He attempted to place a number of tickets aboard the cruiser South Dakota but the master-at-arms, learning of his reputation, would not allow the pasteboards to be handed aboard the ship.

Johnson is said to have told a pal some time ago that after the fleet went away he would drive his machine into the harbor and let it rust there because by that time it would be good for nothing else.

Notwithstanding this opinion of its merits he intended to try and sell 1000 tickets on the car at \$2 each.

The winner of the car would have been in a parlous position notwithstanding his apparent good luck, as the automobile is mortgaged to Gus Schuman.

This wouldn't have mattered one iota to the enterprising Johnson, however, for it is known that he intended leaving Honolulu by the S. S. Sierra tomorrow, the day after the fleet pay-day, by which time the money for the tickets sold would have been collected.

A person who saw the Johnson car shortly prior to the smash on Saturday night states that at Neumann's switch Johnson was steering the car with one hand and holding a bottle of beer to his mouth with the other.

Others in the car at the time of the accident, besides those injured were E. L. Thorson of the South Dakota and A. R. Lay of the Colorado.

PHONEY DAVIS AGAIN ON TRIAL

George, alias "Phoney" Davis, is on trial today in the United States district court on one of the many charges against him. The particular indictment upon which he is being tried is that which charges him with having smuggled several bottles of gin off the ship H. Hackfeld.

Davis is being defended by Attorney Leon Straus, and C. C. Bittling represents the government. Straus this morning interposed objections to many of the questions asked by the prosecuting attorneys of the witnesses.

Tajimura Sanjiro has filed suit for divorce from Tajimura Shimo on the ground of adultery.

Business Houses Will Show Well In Floral Parade

For the first time in the history of floral parades in Honolulu the big commercial houses of the downtown business district will be well represented in this year's festival. Charles R. Frazier, chairman of the horsedrawn float committee, reports that he has enlisted practically all the business houses in his department and that the showing which their floats will make in the parade will be a surprise to the city itself.

The automobile people, too, are doing better now and many automobile owners have reported to Mrs. J. M.

Dowsett their intention of entering their cars. Among these are several tourists from the coast who have their automobiles with them. There are still many, however, who may join and may not, and Mrs. Dowsett eagerly desires that those who intend to decorate their cars, but have not made it known to any member of the automobile committee, should report as soon as possible to her.

The rehearsals for "Pinafore" are most satisfactory and the cast is now ready to test their production with an orchestra accompaniment. For this purpose the stage of the Orpheum theater will be secured some time this

week and a full rehearsal of the opera with cast and chorus will be held. The production of the opera will be given upon the old Mohican, anchored off Alakea wharf, and within a week the rehearsals will be held on board the ship so that the players may have ample opportunity to accustom themselves to the setting.

Of the various island princesses who will represent the Hawaiian group in the floral parade all have been chosen and made known to the committee in charge but the Kaui princess and it is believed that the name of the Garden Island belle will come in the next mail from Kauai.

LIKING OF BOYS FOR TOWN LIFE HAMPERS INDUSTRIAL PROJECT

Although much interest is being taken in the proposed secondary school that is to be established at Kahuku, the scheme has not been much advanced during the last week or so.

It appears that the boys of the Wai-lua and Kahuku districts, who would, naturally, seem to be the logical basis upon which to work, have a decided preference to city life. The lads get jobs in Honolulu as soon as they possibly can. They appear to prefer the delights of the moving picture shows to those pertaining to the end of a hoe.

Still, an effort is being made to show the parents of boys that, at the new school, the lads will get an opportunity to learn a good occupation and one that will provide them with much better paid positions than they could possibly get, with their limited education, in the city.

"The lads think of the immediate present, and never look to the future," said Inspector Gibson this morning when discussing the question.

MOSQUITO MEN ON REGULAR LAY

From today, the forces of the mosquito campaigners will be on a new basis and, while far fewer men will be employed, the house to house inspection will be carried on strictly.

The soldiers whose furlough expired yesterday have returned to their regiments, and their places have been taken by discharged soldiers to help out with the inspection of gutters, and the staff is now on a permanent basis. All payrolls are now kept at the board of health office, and the men are paid there.

The office staff of Doctor McCoy has been reduced to one stenographer and, as the bulk of the work is being done at the board of health office, the force at present engaged is considered sufficient.

TEST OF COWS IS GOING WELL

Doctor Norgaard, territorial veterinarian, is still busy inspecting the dairy herds of Oahu. Several hundred cows have been examined and, so far, there is a marked improvement over the conditions of last year.

The result of the 1912 test will not be announced for some time yet. It is planned to finish the whole inspection before giving out the results.

Still, enough is known at present to establish the fact that the herds of Oahu are remarkably free from tuberculosis, and that last year's fine percentage of clean cows will be surpassed this year.

NAVAL DESERTER ON HIS TRIAL

O. J. Vallette was being court-martialed this morning, the charge being desertion from the U. S. S. Connecticut in April 1909.

Vallette was caught in Honolulu and delivered aboard the naval tug Navajo in December last. The Navajo is the local receiving ship. This morning Vallette was before the court on the charge, but the court has not concluded its sitting.

The cruisers all went outside this morning for exercise. They were out of sight of land from the waterfront, but they have not gone very far, for they left a detachment of men who went down to Fort Shafter to have rifle shooting practice, and a fleet of small launches were around the waterfront carrying out the duties dependent upon them.

TYPHOID FEVER CASES ON KAUAI

Three cases of diphtheria have been reported from Kauai, and the island sanitary inspector has quarantined the patients and the contacts. Two cases are near Eleale, and one is at Waihalu. All three are children, and the usual treatment with antitoxin has been given.

Typhoid fever has also broken out on the Garden Island and, while there are two cases at Makaweli plantation, there is another out further along the coast, at Gay & Robinson's estate.

The source of the typhoid outbreak is not at present known, but the impression is that milk has carried the infection. Chief Inspector Cook has the proposition in hand, and he is keeping in touch with Dr. Pratt, president of the Board of Health.

There will be a meeting of the Board of Health on Thursday afternoon at 3:30 o'clock. Only routine matters are intended for consideration, although something else may crop up before the date comes around.

The lantern slides and outfit ordered some months ago should be coming along from the mainland soon. The scheme is to show the slides depicting insanitary conditions and other factors of diseases, at villages throughout the Territory. A lecturer will speak on sanitation, fully explaining the pictures.

MANY FINED FOR GAMBLING

Frank Newman and Pohlman, two soldiers from Fort Ruger, were charged in the police court this morning with assault and battery. It appears that the men attempted to fight their way through a congestion on Hotel street on Saturday night.

Pohlman pleaded guilty and was fined \$10 and costs. Newman pleaded not guilty and will contest his case.

A Pareza, charged with swearing at a policeman, was fined \$4 and costs. Ben Rora, charged with gambling, forfeited \$10 bail.

The following fines were dealt out for gambling:

Akemeke, \$9; Manuel Akeo, \$5; Sam K. Ahal, \$5; Adam A. Ahal, \$5; Makale, \$5; Gavario, \$5; Naviko, \$5; Salsko, \$5.

Eleven Japanese were fined \$5 and costs for gambling.

DRUNKS ARE KEEPING BUSY

In the district court this morning six cases of drunkenness were presented to the notice of Judge Monserat.

If the present gale be kept up this month will constitute something like a record as far as cases for drunkenness are concerned.

Last month's total was forty and the first five days of the month have netted fifteen cases.

Arada Mada was fined \$3 and costs, as were N. E. Aars, Charley Lewis, and Kelekoil.

Katie Kamakea forfeited bail of \$5, and the case of J. H. Wilson not Johnnie the contractor, was continued till Saturday.

A FIRST BASS BADLY WANTED

The lack of a first bass and the difficulty of finding a young man with a first bass voice, the time to spare and the willingness to lift his voice in song, is seriously delaying the appearance of that ne plus ultra quartet which the Christian Extension Movement has been promising the public for some time.

The first tenor, second tenor and second bass were readily secured and have been sitting about humming close harmony for several weeks awaiting the appearance of the requisite voice. But first basses either do not flourish in this climate or those possessed of them are exceedingly shy, for the committee has not yet discovered a single permanent resident of Honolulu who could qualify.

In trio form the personnel of the quartet is now George Dyson, first tenor; C. J. Hunn, second tenor, and C. H. Tracy, second bass.

KNOX TELLS FACTS TO THE PRESIDENT

(Associated Press Cables to the Star.)

COLUMBIA, February 5.—Secretary Knox in a letter to President Taft says that sugar is governmentally controlled the world over.

WASHINGTON, February 5.—The American Sugar Company, in its answer to the dissolution suit, says that it controls only 40 per cent of the product and denies underwhelming.

A Woman's Remorse

NEW YORK, February 5.—The Noble suicide was due to the remorse of the woman who told a friend that, if she lived, she would have to disregard law and religion.

Dies Denying

COLORADO SPRINGS, February 5.—Arthur J. Burnham, serving time for the murder of six people, is dead of tuberculosis. He died denying his crime.

King and Queen at Home

LONDON, February 5.—King George and Queen Mary arrived home today on the Medina and were received with brilliant ceremonies.

No Third Term

WASHINGTON, February 5.—A resolution legalizing a third term in the presidency failed temporarily today for lack of a second.

Defeat of Manchus

PEKIN, February 5.—Rebel invaders have defeated an army of Manchus at the mouth of the Yalu River in Manchuria.

Anthracite in Alaska

CORDOVA, Alaska, February 5.—A large body of anthracite coal has been discovered near the head of White river.

The Olympic Games

SAN FRANCISCO, February 5.—May 18 is the date set for the coast trials for the Olympic games at Stockholm.

Women Come In

WASHINGTON, February 5.—Congressman Berger has introduced a bill to secure universal suffrage.

Negro Lynched

MACON, Ga., February 5.—A negro was lynched here today.

(Morning Cable Report on Page Twelve.)

Swimmers Must Go To Coast Tomorrow

The local branch of the A. A. U. in which they are to compete, this afternoon received the following cable from the A. A. U. in New York:

"Wired schedule last Saturday. Olympic swimming try-outs start February 17 and are held in different cities. They last till March 9. Your men can compete. Wire me their entries, registration numbers and events."

THE PRINCESS IS STILL SUFFERING

Colonel Sam Parker, chatting in the Star office today, states that his stepdaughter, the Princess Kawanamoku, is still suffering very much from her affection of the knee for which she has had two operations. He does not know when she will return. She is in a London hospital, for which the Colonel expresses much contempt, saying that it had no elevator and that the rooms were undecorated.

Colonel Parker saw much of the George Macfarlanes in London. He

has no idea when Colonel George will come back, if at all. As representative of the Fowler steam plows Macfarlane divides his time between London, New York and Cuba. In the latter place he introduces his plows for the work of breaking up new ground for sugar estates.

This time Colonel Parker didn't go further than Washington, which he found mighty cold. He was glad that his bill got ahead so fast. He had little to say about politics, but laughed uproariously over the attempts to get him excited on the subject here.

Superintendent of Public Works Marston Campbell will leave for Maui on February 13. He is to attend a meeting of the Maui Loan Fund Commission.